

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

MIGUEL A. BELTRE, An Infant Under the Age of
Fourteen Years, By His Mother and Natural
Guardian, JACKELINE BELTRE, and
JACKELINE BELTRE, Individually

**VERIFIED ANSWER AS TO
TAPTI PANDA, M.D.**

Case No.: 07 Civ 6930

Judge Kram

- against -

UNITED STATES OF AMERICA, ARUNA
MISHRA, M.D., TAPTI PANDA, M.D.,
SAMANTHA RAWLINS, M.D., and BRONX
LEBANON HOSPITAL CENTER,

Defendants.

x

Defendant, TAPTI PANDA, M.D., by her attorneys, AARONSON RAPPAPORT
FEINSTEIN & DEUTSCH, LLP, as and for her Verified Answer to plaintiffs' Verified
Complaint, respectfully shows to this Court and alleges upon information and belief:

1. Denies the knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraphs "2", "6", "7", "12", "13", "19", "20", "25", "26", "39", "41", "43", "47", "49" and "51".
2. Denies the allegations contained in paragraphs "11", "24", "35", "36", "37", "40", "42", "44", "45", "46", "48", and "50" in the form alleged and respectfully refers to the hospital records for the specifics of the patient's treatment thereat.
3. Denies the allegations contained in paragraphs "34", "52", "53", "54", "55", "56", "57", "58" and "59".
4. Denies the allegations contained in paragraphs "3", "9", "10", "14", "15", "16" and "17" in the form alleged and respectfully refers all questions of law to this Honorable Court.

5. Denies the allegations contained in paragraphs "22" and "23" except admit that SAMANTHA RAWLINS, M.D. was a duly licensed physician in the State of New York.

6. Denies the allegations contained in paragraphs "27", "28", "29", "30", "31", "32" and "33" except admit that BRONX-LEBANON HOSPITAL CENTER was a fully accredited hospital in the State of New York.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

7. The liability of the answering defendant, if any, is limited pursuant to CPLR Article 16.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

8. An action concerning the same allegations of fact and law is pending in State Court.

WHEREFORE, defendant, TAPTI PANDA, M.D., demands judgment dismissing the Complaint, together with the costs and disbursements of the within action.

Dated: New York, New York
August 22, 2007

Yours, etc.


BY: Steven Z. Kronovet
AARONSON RAPPAPORT FEINSTEIN &
DEUTSCH, LLP
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212-593-6700

ATTORNEY'S VERIFICATION

UNITED STATES DISTRICT)
COURT)
SOUTHERN DISTRICT OF NEW) SS:
YORK)

Steven Z. Kronovet, being duly sworn, deposes and says:

That I am a member in the firm of attorneys representing the defendant TAPTI
PANDA, M.D.

That I have read the attached **Answer** and the same is true to my own belief,
except as to matters alleged on information and belief, and as to those matters, I believe them to
be true to the best of my knowledge.

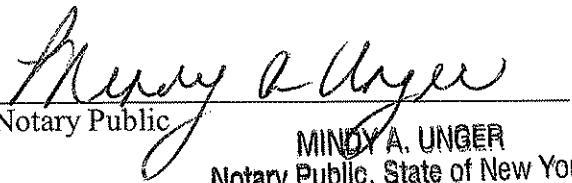
My sources of information are a claims file containing statements, reports and
records of investigation, investigators, parties and witnesses, with which I am fully familiar.

That this verification is made by me because my client does not reside within the
county where I maintain my office.



Steven Z. Kronovet

Sworn to before me this
22nd day of August, 2007


Notary Public

MINDY A. UNGER

Notary Public, State of New York

No. 31-4719644

Qualified in New York County
Commission Expires June 30, 2010